

DETAILED ACTION

Remarks

As per a conversation with Bruce Kramer on 7/20/2011, the previous Notice of Allowability (dated 6/28/2011) is revoked. **This action replaces the Notice of Allowance sent 6/28/2011.** Claims 1, 5-8 and 10-12 are allowable. Claims 2, 9 and 13 are cancelled.

Election/Restrictions

1. Claims 1, 5-8 and 10-12 allowable. The restriction requirement, set forth in the Office action mailed on 3/18/2009, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). Claims 11-12, directed to a process of production of an electrode of claim 1 are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Information Disclosure Statement

The two foreign office actions (citation number 2 and 3) on IDS filed 6/8/2011 are not considered as of this action. These references were provided without English translations and therefore cannot be considered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 11-12 are rejoined.

Claim 13 is cancelled.

3. The following is an examiner's statement of reasons for allowance:

Claims 1, 5-8 and 10-12 are allowable for the following reasons:

Regarding claim 1, Abe (JP 2002/050413), Granqvist (US 20050238550) and Ohya (US 66298330 are the closest prior art of record. The combination of references teaches, at best, a transparent conductive film with a surface tension of 30-60 dyne/cm when adjacent to a silver paste electrode layer (Ohya; column 3, lines 7-10). None of the references teach a laminated film with a porous semiconductor layer formed on its transparent conductive layer wherein the transparent conductive layer has a surface tension of 65 mN/m or greater. There is no teaching in the prior art that would motivate a skilled artisan to alter the surface tension of the transparent conductive layer of any

cited reference above to be 65 mN/m or greater when adjacent to a porous semiconductor layer formed on its surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact/Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON GARDNER whose telephone number is (571)270-5270. The examiner can normally be reached on Monday to Thursday, 5am-3pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on 571.272.1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. G./
Examiner, Art Unit 1723

/Alexa D. Neckel/
Supervisory Patent Examiner, Art Unit 1723